

STATE OF NEBRASKA
DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF EXPEDITED TRANSFER EXT-8901 FOR WATER APPROPRIATION A-4297A
AND MAP NUMBER 20476

WATER DIVISION 2-B

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-4297A is held by Rachel A. Macklin Living Trust.
2. Appropriation A-4297A has a priority date of June 24, 1948, and authorizes the use of water for irrigation of the 64 acres of land described below. The water may be diverted from Logan Creek at points of diversion located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 15, Township 24 North, Range 07 East of the 6th P.M. in Cuming County. Water diverted shall not exceed the ratio of one cubic foot per second (cfs) for every 140 acres irrigated at a maximum combined rate of 0.46 cfs from all points of diversion.

Township 24 North, Range 07 East of the 6 th P.M. in Cuming County		Acres
Section 15:	SE $\frac{1}{4}$ NE $\frac{1}{4}$	1
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	25
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	<u>38</u>
	TOTAL	64

3. On March 19, 2020, David J. and Rachel A. Macklin filed application EXT-8901 for a permit for an expedited transfer of the location of use for land authorized to be irrigated by appropriation A-4297A and map number 20476 showing the land proposed to be irrigated under appropriation A-4297A through transfer EXT-8901.

ORDER

IT IS HEREBY ORDERED:

1. Application EXT-8901 for a permit for an expedited transfer of the location of use and map number 20476 are APPROVED.

2. Appropriation A-4297A through transfer EXT-8901 authorizes the use of water to irrigate 33 acres of land described below and depicted on map number 20476, which is made a part of this Order. The water may be diverted from Logan Creek at a point of diversion located on the left bank of the stream in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 15, Township 24 North, Range 07 East of the 6th P.M. in Cuming County, as depicted on map number 20476. Water diverted shall not exceed the ratio of one cfs for every 72 acres irrigated at a maximum rate of 0.46 cfs (206 gallons per minute). The total volume may not exceed three acre-feet per irrigated acre per year nor to exceed the least amount of water necessary for the production of crops in the exercise of good husbandry.

Township 24 North, Range 07 East of the 6 th P.M. in Cuming County	Acres
Section 15: SE $\frac{1}{4}$ SE $\frac{1}{4}$	33

3. All terms and conditions of appropriation A-4297 and A-4297A remain in effect unless specifically changed by this Order.
4. A measuring device, approved by the Department, may be required if so ordered by the Department.
5. The appropriator must comply with all relevant statutes. These relevant statutory requirements include, but are not limited to, the following:
- A. Notify the Department of any change in ownership or address.
 - B. Notify the Department of the name and address of the person responsible for the use of the water appropriation (this may include farm managers, tenants, or relatives that actually apply the water to the approved use).
 - C. Obtain approval from the Department prior to taking any action that changes the location of the point of diversion, the location of the place of use, the type of use, or the type of appropriation.

ADDITIONAL INFORMATION

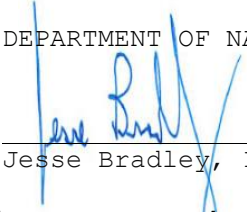
Failure to comply with all laws and regulations pertaining to surface water appropriations, any orders issued by the Director of the Department of Natural Resources, or the provisions of this Order may cause cancellation of part or all of this appropriation, temporary closing of the appropriation, administrative penalty, criminal prosecution, or any combination thereof.

Nebraska law provides that failure to use a portion or all of a perfected appropriation for more than five consecutive years may result in cancellation of the appropriation.

This appropriation is not a guarantee that water will be available. Nebraska law gives priority to senior appropriations. This appropriation may be closed if there is insufficient water to satisfy senior appropriations.

DEPARTMENT OF NATURAL RESOURCES

April 22, 2020



Jesse Bradley, Interim Director

A copy of this Order was posted on the Department's website. Copies of this Order and map number 20476 were provided to the Department's field office in Norfolk, Nebraska. Copies of this Order and map number 20476 were mailed on April 22, 2020, to the following:

David J. and Rachel A. Macklin
2225 23rd Road
Bancroft, Nebraska 68004